

UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:10CR373
)	
vs.)	FINAL ORDER OF
)	FORFEITURE
)	
RANDY BAKER,)	
)	
Defendant.)	

This matter comes on before the Court upon the United States' Motion for Final Order of Forfeiture (Filing No. 48). The Court reviews the record in this case and, being duly advised in the premises, finds as follows:

1. On May 3, 2011, the Court entered a Preliminary Order of Forfeiture pursuant to the provisions of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(D) and 853 based upon the Defendant's plea of guilty to Count I and the Forfeiture Allegation of the Indictment filed herein. By way of said Preliminary Order of Forfeiture, the Defendant's interest in a 2007 Dodge Caravan, VIN 1D4GP24R37B263292, was forfeited to the United States.

2. Notice of Criminal Forfeiture was posted on an official internet government forfeiture site, www.forfeiture.gov, for at least thirty consecutive days, beginning on May 5, 2011, as required by Rule G(4)(a)(iii)(B) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions. A Declaration of Publication was filed herein on September 6, 2011 (Filing No. 47).

3. TD Auto Finance filed a Petition to Recognize Lien (Filing No. 42). Previously, this Court (Filing No. 46) directed that any action the United States takes with respect to the 2007 Dodge

Caravan, VIN 1D4GP24R37B263292, will be subject to the lien of TD Auto Finance. The United States represents no other person or entity filed a Petition in response to its published notice. Upon review of the court file, the Court agrees.

4. The Plaintiff's Motion for Final Order of Forfeiture should be sustained.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

A. The Plaintiff's Motion for Final Order of Forfeiture is hereby sustained.

B. All right, title and interest in and to the 2007 Dodge Caravan, VIN 1D4GP24R37B263292, held by any person or entity other than TD Auto Finance is hereby forever barred and foreclosed.

C. The 2007 Dodge Caravan, VIN 1D4GP24R37B263292, be, and the same hereby is, forfeited to the United States of America subject to the interest of TD Auto Finance.

D. The U. S. Marshals Service is directed to dispose of said vehicle in accordance with law.

DATED this 7th day of September, 2011.

BY THE COURT:

/s Joseph F. Bataillon

**JOSEPH F. BATAILLON, Chief Judge
United States District Court**